

Appln No. 10/713,067
Amdr. Dated August 05, 2004
Response to Office action of June 10, 2004

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REMARKS/ARGUMENTS

The Applicant thanks the Examiner for the Official Action dated June 10, 2004. In response to the issues raised, we offer the following submissions.

Statutory Double Patenting

Claims 1 to 20 stand rejected as having the same scope as claims 1 to 19 of our co-pending application USSN 10/713,088. The Applicant disagrees. All the claims of the present and co-pending applications define different combinations of features. These different combinations of claimed features give each claim an individual scope, none being co-extensive with another.

Firstly, the claims of the present application are limited to a printhead assembly having, *inter alia*, an elongated core, and a printhead bonded to the printhead. In contrast, the claims of '088 are directed to a core that is suitable for use in a printhead assembly. The core is defined as being capable of having a printhead bonded to it. Hence the printhead is not a claimed feature. This in itself differentiates the scopes of the present application from those of '088. An elongate core for a printhead assembly without a printhead bonded to it may infringe claim 1 of '088, but would not directly infringe the claims of the present application. Obviously, if a product can infringe one set of claims but not another, the claim sets are of differing scopes.

The claims have other features and limitations which do not appear in the '088 claims specified by the Examiner. By way of example, some of these are highlighted below for the first 5 claims only:

Claim 1.

"... MEMS printhead ...", "... outer, laminated shell ..."

Claim 2.

"... formed from *different* metals ..."

Claim 3.

Includes non-modular printheads.

Claim 4.

Includes layers of the same materials.

Claims 5.

Both shell and core may have coefficients of thermal expansion (CTE) greater, or less than, the CTE of silicon.

From the above, it is clear that the claims of the present application are not co-extensive with the claims of USSN 10/713,088.

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The Applicant respectfully submits that the claims rejection has been successfully traversed. Accordingly favorable reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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